

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

PACIFIC SURVEY GROUP, LLC,  
Plaintiff,

v.

TYCHE HIGH SEAS CAPITAL  
CORP, et al.,  
Defendants.

CASE NO. C21-1712JLR-MLP

AMENDED ORDER  
REGARDING INITIAL  
DISCLOSURES, JOINT STATUS  
REPORT, AND EARLY  
SETTLEMENT

**I. INITIAL SCHEDULING DATES**

The Court sets the following dates for initial disclosure and submission of the  
Joint Status Report and Discovery Plan:

Deadline for FRCP 26(f) Conference  
between Plaintiff and all remaining Defendants: February 23, 2022

Deadline to Exchange Initial Disclosures  
Pursuant to FRCP 26(a)(1)  
(Initial Disclosures are not to be filed)  
between Plaintiff and any Defendant that  
has not previously exchanged initial disclosures: March 9, 2022

1 Combined Joint Status Report and Discovery  
2 Plan as Required by FRCP 26(f)  
3 and Local Civil Rule 26(f):

March 16, 2022

4 The deadlines above may be extended only by the Court. Any request for an  
5 extension should be made by email to Courtroom Deputy Tim Farrell at  
6 [tim\\_farrell@wawd.uscourts.gov](mailto:tim_farrell@wawd.uscourts.gov). If Defendants have appeared, the parties are directed to  
7 meet and to confer before contacting the court to request an extension.

8 If this case involves claims which are exempt from the requirements of  
9 FRCP 26(a) and 26(f), please notify Tim Farrell at  
10 [tim\\_farrell@wawd.uscourts.gov](mailto:tim_farrell@wawd.uscourts.gov).

## 11 **II. JOINT STATUS REPORT & DISCOVERY PLAN**

12 All counsel and any pro se parties are directed to confer and provide the Court  
13 with a combined Joint Status Report and Discovery Plan (the "Report") by  
14 March 16, 2022. This conference shall be by direct and personal communication,  
15 whether that be a face-to-face meeting or a telephonic conference. The Report will be  
16 used to determine if a FRCP 16 conference would be helpful and to set a schedule for the  
17 prompt completion of the case. FRCP 16 provides for a pretrial conference with the court  
18 for purposes such as:

- 19 1. expediting disposition of the action;
- 20 2. establishing early and continuing control so that the case will not be  
21 protracted because of lack of management;
- 22 3. discouraging wasteful pretrial activities;
4. improving the quality of the trial through more thorough preparation; and
5. facilitating settlement.

The Joint Status Report must contain the following information, by corresponding  
paragraph numbers.

1. A statement of the nature and complexity of the case.

1           2.     A proposed deadline for joining additional parties.

2           3.     The parties have the right to consent to assignment of this case to a full  
3 time United States Magistrate Judge, pursuant to 28 U.S.C. §636(c) and Local Rule MJR  
4 13, to conduct all proceedings. The Western District of Washington assigns a wide range  
5 of cases to Magistrate Judges. The Magistrate Judges of this district thus have significant  
6 experience in all types of civil matters filed in our court. Additional information about  
7 our district's Magistrate Judges can be found at [www.wawd.uscourts.gov](http://www.wawd.uscourts.gov). The parties  
8 should indicate whether they agree that the Honorable Magistrate Judge Michelle L.  
9 Peterson may conduct all proceedings including trial and the entry of judgment. When  
10 responding to this question, the parties should only respond "yes" or "no." Individual  
11 party responses should not be provided. A "yes" response should be indicated only if all  
12 parties consent. Otherwise, a "no" response should be provided.

13           4.     A discovery plan that states, by corresponding paragraph letters (A, B, etc.),  
14 the parties' views and proposals on all items in Fed. R. Civ. P. 26(f)(3), which includes  
15 the following topics:

- 16               (A)    initial disclosures;
- 17               (B)    subjects, timing, and potential phasing of discovery;
- 18               (C)    electronically stored information;
- 19               (D)    privilege issues;
- 20               (E)    proposed limitations on discovery; and
- 21               (F)    the need for any discovery related orders.

22           5.     The parties' views, proposals, and agreements, by corresponding paragraph  
letters (A, B, etc.) on all items set forth in Local Civil Rule 26(f)(1), which includes the  
following topics:

- (A)    prompt case resolution;
- (B)    alternative dispute resolution;
- (C)    related cases;
- (D)    discovery management;
- (E)    anticipated discovery sought;

- (F) phasing motions;
- (G) preservation of discoverable information;
- (H) privilege issues;
- (I) Model Protocol for Discovery of ESI; and
- (J) alternatives to Model Protocol.

6. The date by which discovery can be completed.

7. Whether the case should be bifurcated by trying the liability issues before the damages issues, or bifurcated in any other way.

8. Whether the pretrial statements and pretrial order called for by Local Civil Rules 16(e), (h), (i), and (k), and 16.1 should be dispensed with in whole or in part for the sake of economy.

9. Whether the parties intend to utilize the Individualized Trial Program set forth in Local Civil Rule 39.2 or any ADR options set forth in Local Civil Rule 39.1.

10. Any other suggestions for shortening or simplifying the case.

11. The date the case will be ready for trial. The Court expects that most civil cases will be ready for trial within a year after filing the Joint Status Report and Discovery Plan.

12. Whether the trial will be jury or non-jury.

13. The number of trial days required.

14. The names, addresses, and telephone numbers of all trial counsel.

15. The dates on which trial counsel may have complications to be considered in setting a trial date.

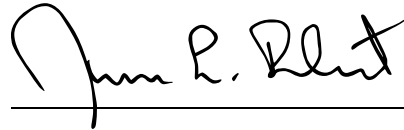
16. If, on the due date of the Report, all defendant(s) or respondent(s) have not been served, counsel for the plaintiff shall advise the Court when service will be effected, why it was not made earlier, and shall provide a proposed schedule for the required FRCP 26(f) conference and FRCP 26(a) initial disclosures.

17. Whether any party wishes a pretrial FRCP 16 conference with the judge prior to entry of any order pursuant to Rule 16 or setting of a schedule for this case. If yes, indicate whether a party wishes an in-person or telephonic conference.



1 The parties are responsible for complying with the terms of this Order. The Court  
2 may impose sanctions on any party who fails to comply fully with this Order.

3 Dated this 9th day of February, 2022.

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7 JAMES L. ROBART  
8 United States District Judge  
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